

Statement Of Stephen Phelps

KG: THIS IS SGT. GRAY WITH THE DOTHAN POLICE DEPARTMENT. THE DATE IS APRIL 29TH, 2005. THE TIME IS 3:55 P.M. THE PLACE OF STATEMENT'S GOING TO BE IN MY OFFICE. THE NAME OF PERSON GIVING STATEMENT'S GOING TO BE STEPHEN ALLEN PHELPS. THIS IS IN RELATION TO AN INVESTIGATION THAT'S GOING ON REGARDING MARY TURNER. STEPHEN, WOULD YOU STATE YOUR FULL NAME?

SP: STEPHEN ALLEN PHELPS.

KG: AND AH, IF YOU WOULD, STEPHEN, GIVE ME YOUR HOME ADDRESS?

SP: AH, 856 D HODGES ROAD.

KG: WHERE'S THAT AT?

SP: IT'S IN COTTONWOOD, ALABAMA.

KG: UMKAY. AH, ARE YOU FAMILIAR WITH AH MARY TURNER?

SP: YES, SIR, I AM.

KG: SPEAK UP.

SP: AH, YES, SIR, I AM.

KG: AHM, TELL ME APPROXIMATELY WHEN YOU FIRST MET MRS. TURNER.

SP: UH, MY LITTLE BROTHER STARTED WORKING FOR HER HUSBAND AND PROBABLY A COUPLA MONTHS AFTER HE STARTED WORKING THERE, I WENT UP THERE AND WE ALL YOU KNOW WORKED TOGETHER AND I'D HELP 'EM OUT ON THE SIDE., WORK PART TIME.

KG: OKAY. WHAT IS HER HUSBAND'S NAME?

SP: AH, KEVIN TURNER.

KG: AND DO YOU KNOW WHERE THEY LIVE?

SP: YES, SIR, I DO.

KG: WHERE'S THAT?

SP: AH, 231 STRAIGHT ACROSS FROM OLYMPIA SPA.

KG: OKAY, IS THAT ANYWHERE IN THE VICINITY OF WHERE YOU LIVE?

SP: NO, SIR.

KG: OKAY. AH, SO ROUGHLY HOW LONG HAVE YOU BEEN KNOWING THEM, THE TURNERS?

SP: PROBABLY 2 TO 3, MAYBE 4 YEARS, I, ROUGHLY.

KG: UMKAY. IT'S 2005, NOW AND SO APPROXIMATELY 2001

SP: PROBABLY

KG: 2000

SP: MORE THAN LIKELY, YEAH.

KG: UMKAY.

SP: IT'S BEEN A WHILE.

KG: WHAT I WANTA DO IS AH SHOW YOU AN ALABAMA UNIFORM TRAFFIC CITATION THAT HAS A NUMBER ON THE TOP RIGHT OF M5533359. AH, HAVE YOU EVER SEEN AH THIS COPY OF THE TICKET WHICH AT THE BOTTOM IT SAYS, IT SAYS COMPLAINT AND AFFIDAVIT?

SP: YES, SIR, I HAVE.

KG: UMKAY. AH, TELL ME THE DATE THAT'S WRITTEN ON THAT TICKET.

SP: 11 2 THOU', 11/24/02.

KG: UMKAY AND AH DOES THAT TICKET HAVE YOUR NAME ON IT?

SP: YES, SIR, IT DOES.

KG: LOOK AT THE INFORMATION ON THERE AHM, AND S', TELL ME IF THAT IS YOUR INFORMATION REGARDING THE DATE OF BIRTH, YOUR HOME AT THAT TIME AND EVERYTHING.

SP: YES, SIR, IT'S MY CORRECT ADDRESS AT THAT TIME, AND MY DATE OF BIRTH, SOCIAL SECURITY NUMBER,

KG: UMKAY, DO YOU REMEMBER RECEIVING A COPY OF THAT CITATION?

SP: YES, SIR, I DO.

KG: AH, WHERE WERE YOU AT WHEN YOU RECEIVED THAT CITATION?

SP: SOUTH PARK AVENUE.

KG: UMKAY. YOU WERE PULLED OVER BY A UNIFORMED POLICE OFFICER?

SP: YES, SIR.

KG: HE WAS ON A DOTHAN POLICE CAR?

SP: YES, SIR.

KG: HAD THE UNIFORM, BADGE, GUN ON?

SP: YES, SIR.

KG: UMKAY. AHM, DID THAT OFFICER ISSUE YOU THAT TICKET?

SP: YES, SIR, HE DID.

KG: AND WHAT WAS IT FOR?

SP: IT WAS FOR AH SPEEDING.

KG: UMKAY. AND WHAT DID YOU EVENTUALLY DO WITH THAT TICKET?

SP: HANDED IT TO MARY TURNER.

KG: UMKAY. AH, DO YOU KNOW HOW LONG IT WAS THAT YOU HANDED IT TO HER FROM THE DATE THAT IT WAS WRITTEN?

SP: A LITTLE OVER A WEEK, MAYBE 2 OR 3 WEEKS. IT WAS UH WITHIN A MONTH. IT WAS IN HER HANDS.

KG: OKAY. THE COURT DATE ON THIS TICKET SHOWS IN JANUARY, SO YOU RECEIVED THE CITATION NOVEMBER 24TH OF 02. IT HAD A COURT APPEARANCE DATE OF JANUARY 7TH, OF '03, SO WAS IT SOMETIME IN BETWEEN THOSE DATES?

SP: SOMETIME IN BETWEEN THAT DATE.

KG: UMKAY. AND AH TELL ME HOW, I KNOW YOU SAID YOU JUST HANDED IT TO HER BUT THERE HAD TO BE SOME TYPE OF AH DIALOGUE OR TALKING BEFORE YOU ACTUALLY PHYSICALLY HANDED IT TO HER.

SP: RIGHT, RIGHT. UH, ME AND MY BROTHER HAD TALKED AND HE HAD TOLD HIS BOSS MAN, KEVIN, AND UH THEY ALL KNEW I'D GOTTEN A TICKET. MARY CALLED ME AND ASKED ME TO BRING THE TICKET TO HER. SHE'D TAKE CARE OF IT.

KG: UMKAY, LET'S BACK UP. YOU AND YOUR BROTHER, WHAT'S YOUR BROTHER'S NAME?

SP: BRADLEY PHELPS.

KG: YOU HA', WERE YOU TWO LIVING TOGETHER AT THE TIME, SAME TIME?

SP: YES, SIR.

KG: AH, YOU INFORMED BRADLEY THAT YOU RECEIVED A TICKET?

SP: RIGHT.

KG: UMKAY, AND THEN NOW TELL ME A LITTLE BIT MORE DETAIL ABOUT WHAT HAPPENED?

SP: HE HAD TOLD HIS BOSS MAN THAT I GOT A TICKET. HE, HE ASKED ME ABOUT IT, I HAD TOLD HIM I HAD GOTTEN A TICKET AND HE SAID, THEY, HE HAD OBVIOUSLY TALKED TO MARY ABOUT IT, BECAUSE YOU KNOW SHE CALLED ME. I HAD NEVER TALKED TO HER PRIOR TO IT.

KG: UMKAY. NOW WHEN YOU SAY HE AND EVERYTHING, KEEP IN MIND WE'RE TALKING ABOUT

SP: KEVIN TURNER.

KG: UMKAY. AND SAY HER NAME. SO LET'S OR GO OVER THAT ONE MORE TIME. YOU ASKED YOUR BROTHER, YOU TOLD YOUR BROTHER BRADLEY ABOUT IT?

SP: YES, SIR.

KG: DID YOU KNOW THAT MRS., DID YOU KNOW WHERE MRS. TURNER WORKED AT?

SP: NOT AT THE TIME I DIDN'T.

KG: UMKAY, SO WHAT WOULD BE THE REASON FOR KEVIN, YOUR BROTHER TO TELL KEVIN ABOUT IT?

SP: OBVIOUSLY BRAD KNEW ABOUT IT. SEE I DIDN'T, I DIDN'T KNOW MARY AS GOOD AS HE DID, I, I JUST KNEW WHO SHE WAS.

KG: RIGHT, DID, HAD YOU DONE, HOW DID YOU KNOW WHO SHE WAS?

SP: BECAUSE SHE WAS KEVIN'S WIFE. I HAD SEEN HER DOWN THERE AT THE SHOP BEFORE AND TALKED TO HER, YOU KNOW, IN THE SHOP.

KG: UMKAY. TELL ME ABOUT THIS SHOP THING.

SP: UH, WE, WE BUILT SIGNS AND HUNG SIGNS.

KG: UMKAY, WHERE AT?

SP: AH, VITAL SIGNS.

KG: UMKAY, SO WHO'S THE OWNER OF VITAL SIGNS?

SP: KEVIN TURNER.

KG: OH, SO YOU USED TO WORK FOR KEVIN TURNER?

SP: PART TIME, YES, SIR.

KG: UMKAY, AND AH, THE, WAS THEIR SHOP ON THE PROPERTY?

SP: YES, SIR, IT WAS.

KG: AH, AND, AND WHEN I SAY THE PROPERTY, THE, THEIR SHOP WAS ON THE PROPERTY WHERE THEIR RESIDENCE IS LOCATED?

SP: YES, SIR.

KG: WAS THERE ANY OTHER STRUCTURES AROUND THERE THAT THEY OWN THAT YOU KNOW OF?

SP: NOT THAT I KNOW OF.

KG: UMKAY. AHM, IS THERE, TO YOUR KNOWLEDGE A TRAILER OR ANYTHING THERE?

SP: YES, SIR, YES, SIR, THERE IS, I, I'D FORGOTTEN ALL ABOUT THAT. THERE'S A TRAILER RIGHT BEHIND THE SHOP, RIGHT BESIDE THE HOUSE.

KG: UMKAY. IS IT ON THE SAME PIECE OF PROPERTY?

SP: ON THE SAME PROPERTY.

KG: DO YOU KNOW WHO OWNS THE TRAILER?

SP: UH, KEVIN DOES, OR MARY DOES, ONE OF THE TWO DOES.

KG: UMKAY. HOW DO YOU KNOW THAT?

SP: UH, I JUST REMEMBER SOMETHING BEING SAID ABOUT IT. I REMEMBER BRAD OR KEVIN, SOMEBODY TELLING ME YOU KNOW THEY HAD THE TRAILER BACK THERE, AND I'D SEEN IT BEFORE.

KG: UMKAY. WHAT COLOR IS THE TRAILER, DO YOU REMEM'?

SP: WHITE.

KG: UMKAY. NOW, AH, YOU USED TO DO SOME WORK FOR KEVIN?

SP: YES, SIR.

KG: UMKAY, WAS MARY TURNER EVER AROUND TO SEE YOU DO WORK?

SP: YES, SHE COME IN THE SHOP, YOU KNOW, NOT REGULARLY, BUT SHE'D COME IN THERE FROM TIME TO TIME.

KG: UMKAY, AH, SO SHE HAS SEEN YOU BEFORE, PRIOR TO YOU RECEIVING A TICKET?

SP: YES, SIR.

KG: UMKAY, AND SHE KNEW THAT YOU WORKED FOR HER HUSBAND?

SP: YES, SIR.

KG: OKAY. NOW, YOU SPOKE TO BRADLEY, AND BRADLEY TOLD KEVIN

SP: YES, SIR.

KG: AND THEN WHAT HAPPENED?

SP: AH, MARY CALLED ME AND SAID AH, STEPHEN IF YOU BRING YOUR TICKET UP HERE I CAN TAKE CARE OF IT. I NEED YOUR COPY OF IT.

KG: UMKAY. DID AH, WAS THAT THE FIRST TIME SHE CONTACTED YOU ABOUT THE TICKET?

SP: YES, SIR, THAT WAS THE FIRST TIME SHE HAD EVER CALLED ME.

KG: UMKAY, SO WHAT DID YOU DO?

SP: I GOT IN MY CAR AND TOOK HER THE TICKET.

KG: UMKAY. AH, WHEN YOU MET HER TO GIVE HER THE TICKET, WHERE WERE YOU AT?

SP: HER HOUSE.

KG: UMKAY.

SP: HER FRONT DOOR.

KG: DO YOU REMEMBER WHO CAME TO THE DOOR?

SP: SHE CAME TO THE DOOR. SHE ANSWERED THE DOOR AND AH SHE ASKED ME FOR THE TICKET AND I GAVE HER THE TICKET. SHE SAID SHE WAS GONNA TAKE CARE OF IT FOR ME AND THAT'S PRETTY MUCH THE END OF CONVERSATION.

KG: UMKAY. WAS KEVIN THERE WHEN AH, THAT YOU SAW

SP: NOT THAT I SEEN. THE ONLY PERSON I HAD SEEN WAS HER.

KG: UMKAY. DID YOU WALK IN THE HOUSE, OR IS THIS OUT FRONT OF
SP: SHE WALKED, SHE WALKED OUT OF THE DOOR. I NEVER WALKED IN.

KG: DID SHE EVER ASK YOU TO DO ANYTHING EXCHANGE FOR AH TAKING THAT TICKET
FROM YOU?
SP: NO, SIR, SHE DIDN'T.

KG: HAVE YOU BEEN TO COURT ON THAT TICKET AT ALL?
SP: NO, SIR.

KG: HAVE YOU RECEIVED ANY NOTIFICATIONS IN THE MAIL STATING TO COME TO
COURT?
SP: NO, SIR.

KG: HAVE YOU IN FACT SEEN THIS TICKET ANY MORE SINCE THE DAY YOU GAVE IT TO
HER FROM WHEN I JUST SHOWED IT TO YOU?
SP: NO, SIR.

KG: DO YOU HAVE ANY KNOWLEDGE ABOUT AH YOUR BROTHER BRADLEY RECEIVING A
TICKET?
SP: YES, SIR, I DO.

KG: TELL ME WHAT YOU KNOW ABOUT THAT, WHAT HAPPENED?
SP: AH, I KNOW HE HAD GOTTEN A TICKET, WHAT, WHAT IT WAS FOR I'M, I CAN'T
REMEMBER. IT'S BEEN A WHILE BACK, UH, I KNEW MARY TOOK CARE OF IT FOR
HIM. AH, AND THAT WAS THE END OF HIS TICKET UNTIL WHAT'S COMING OUT
NOW.

KG: SO, AH, WAS HIS CITATION GIVEN TO HIM AFTER YOURS OR BEFORE YOURS? AND
IF YOU DON'T REMEMBER THAT'S FINE.
SP: ACTUALLY I REALLY CAN'T REMEMBER, I DON'T

KG: UMKAY.
SP: KNOW IF IT WAS BEFORE OR AFTER.

KG: UMKAY. WELL I HAVE THE ACTUAL TICKET SO I CAN TELL YOU THE DATE OF IT.
IT WAS AH ACTUALLY AFTER YOURS. IT WAS APRIL THE 14TH OF '03. SO HE DID
RECEIVE IT AFTER YOURS.
SP: RIGHT.

KG: AH, DO YOU KNOW OF KEVIN DOING, EXCUSE ME, OF BRAD DOING ANY WORK FOR
MRS. TURNER? DO YOU HAVE ANY FIRST HAND KNOWLEDGE OF THAT?
SP: UM, YEAH, YEAH I DO. YEAH I DO. HE WAS SUPPOSED TO FIX A TRAILER, THE
ROOF ON THE TRAILER.

KG: UMKAY.
SP: HIM AND MY FATHER WERE.

KG: AND HOW DO YOU HAVE THAT FIRST HAND KNOWLEDGE?
SP: BECAUSE UH I WAS SUPPOSED TO GO OVER THERE AND HELP 'EM. BUT I, I
COULDN'T CAUSE I HAD MY DAUGHTER THAT WEEKEND.

KG: UMKAY. WHO ASKED YOU TO COME HELP THEM?
SP: MY BROTHER DID.

KG: UMKAY. AH, AND HE TOLD YOU IT WAS, HE NEEDED YOUR HELP TO REPAIR

SP: THE ROOF ON THE TRAILER.

KG: UMKAY. AH, WERE YOU GONNA GO WITH HE AND YOUR FATHER, OR WAS HE ASKING YOU FIRST?

SP: HE WAS ASKING ME FIRST AND THEN WHEN I COULDN'T GO MY FATHER WAS TO GO.

KG: UMKAY. AND YOU KNEW THAT HE WAS TALKING ABOUT THE TRAILER AT MRS. TURNER'S HOUSE?

SP: YES, SIR.

KG: AND AH, DID HE TELL YOU ANYTHING ELSE ABOUT WHY HE WAS GOING TO FIX IT OR ANYTHING?

SP: SHE, AH, NAW NOT REALLY, HE JUST SAID THAT HE WAS SUPPOSED TO GO FIX THE ROOF FOR MARY.

KG: UMKAY. DID YOU AH, DO YOU HAVE ANY OTHER FIRST HAND KNOWLEDGE ABOUT ANYTHING THAT HAPPENED AFTER THAT AH DEALING WITH THE REPAIR OF THE TRAILER OR ANYTHING ELSE FIRST HAND KNOWLEDGE?

SP: UH, I WAS THERE WHENEVER SHE CALLED BACK THAT DAY AND BRAD SAID THAT WE HAVE FAMILY IN TOWN, YOU KNOW, HE WOULDN'T BE ABLE TO GO OVER THERE. THAT HE COULD DO IT THE NEXT WEEKEND. AND UH I REMEMBER SHE CALLING BACK AND BEING MAD AND RUDE AND SAYING SHE WAS GONNA MAKE HIS TICKET REAPPEAR IF HE DIDN'T COME OVER THERE AND SHOW UP.

KG: NOW, HOW DO YOU HAVE FIRST HAND KNOWLEDGE OF THAT?

SP: AH, I WAS STANDING RIGHT THERE WHENEVER IT HAPPENED. I, I COULD HEAR YELLING, OR NOT YELLING BUT TALKING LOUD ON THE PHONE BEING SNOBBY.

KG: UMKAY. WHO WERE YOU NEXT TO THAT WAS ACTUALLY TALKING ON THE PHONE?

SP: UH, I'M TRYING TO THINK, I

KG: IF YOU DON'T REMEMBER

SP: I THINK IT, IT MIGHTA BEEN MY DAD OR IT WAS SOMEBO', SOMEBODY IN MY FAMILY, CLOSE FAMILY. IT WAS EITHER MY DAD OR MY SISTER OR MY MOM.

KG: UMKAY.

SP: IT WAS, IT MIGHTA BEEN BRAD, I DON'T KNOW. I REMEMBER JUST STANDING THERE AND I REMEMBER HER TALK AND YELL, OR AH TALKING LOUD.

KG: HOW DID YOU KNOW THAT IT WAS MRS. TURNER ON THE OTHER END?

SP: UH, CAUSE I KNOWED IT WAS ABOUT THE TRAILER. IT SHOWED UP ON CALLER I.D.

KG: UMKAY. HER NAME OR HER NUMBER?

SP: YEAH, THE NUMBER SHOWED UP,

KG: UMKAY.

SP: NUMBER AND NAME.

KG: UMKAY, SO THE NAME AND NUMBER APPEARED ON THE CALLER I.D.?

SP: RIGHT.

KG: AND YOU SAW THAT?

SP: RIGHT.

KG: AND THEN YOU HEARD A LOUD VOICE COME

SP: YEAH, I COULD HEAR HE SPEAKING LOUD. I MEAN I'M NOT GONNA SAY SHE WAS YELLING, BUT SHE WAS SPEAKING LOUD.

KG: UMKAY. AHM, HOW FAR WERE YOU AWAY FROM THE PHONE?

SP: I WAS STANDING RIGHT THERE. WE WERE BOTH IN THE KITCHEN.

KG: UMKAY. AND WHO, COULD YOU RECOGNIZE THE VOICE ON THE PHONE?

SP: YES, SIR, I COULD.

KG: AND WHO WAS IT?

SP: IT WAS MARY TURNER.

KG: UMKAY. AH, WAS ANYTHING SAID AFTER THE PHONE CONVERSATION ENDED?

SP: BETWEEN ME AND, ME AND BRAD OR

KG: AFTER, AFTER WHOEVER HUNG UP THE PHONE, DID THEY COMMENT AS TO WHAT WAS BEING SAID?

SP: RIGHT, THEY SAID SHE WAS RUDE, SAID THAT AH SHE SAID SHE WAS GONE MAKE THE TICKET REAPPEAR IF HE DIDN'T COME OVER THERE RIGHT THEN.

KG: UMKAY. BUT YOU DON'T REMEMBER WHICH SPECIFIC PER', FAMILY MEMBER IT WAS?

SP: I DON'T REMEMBER WHO IT WAS, I MEAN UH, THERE WAS, WE HAD FAMILY IN TOWN. I MEAN THERE WAS YOU KNOW QUITE A FEW PEOPLE IN THE HOUSE, I HAD MY DAUGHTER IN MY ARMS.

KG: UMKAY, THAT'S BEING FAIR. AH, AND KEEP IN MIND IT'S OKAY TO SAY EITHER I DON'T KNOW, OR I WASN'T, I MEAN

SP: RIGHT.

KG: IT'S, JUST TELL THE TRUTH ON HOW EVERYTHING HAPPENED. I DON'T HAVE ANY REASON TO THINK OR BELIEVE OTHERWISE.

SP: RIGHT.

KG: AH, DO YOU KNOW IF ANYONE WENT TO REPAIR THE ROOF?

SP: I KNOW MY FATHER AND MY BROTHER BRAD BOTH WENT OVER THERE AND THEY PUT A TARP ON THE ROOF UNTIL THEY COULD FIX IT.

KG: UM, HM.

SP: UNTIL THEY GOT THE MATERIAL.

KG: DID YOU SEE THEM LEAVE OR DOES, IS THIS SOMETHING THAT THEY JUST DID?

SP: YEAH, I KNOW, I KNOW THEY HAD LEFT AND THAT, I THINK THEY WENT TO LOWE'S TO GET A TARP AND THEN THEY WENT BACK TO HER HOUSE AND PUT THE TARP ON THE ROOF OF THE TRAILER.

KG: UMKAY. AH, DO YOU HAVE ANY FIRST HAND INFORMATION ABOUT ANYTHING ELSE THAT HAPPENED AFTER THAT?

SP: UH,

KG: OR DID BRAD TELL YOU ANYTHING OR DID ANYONE ELSE TELL YOU ANYTHING THAT MAY HAVE TRANSPIRED?

SP: NAW, NOT, THE NEXT THING I KNEW ABOUT IT WAS AH HIM GETTING PULLED OVER SAYING THAT HIS LICENSE WERE SUSPENDED AND HIM GETTING HANDCUFFED AND TOOK TO JAIL.

KG: UMKAY. IS THERE ANYTHING THAT AH I NEED TO ASK YOU ABOUT MAYBE THAT I HAVE NOT OR ANYTHING YOU WANT TO BRING TO MY ATTENTION ABOUT YOUR TICKET AH THAT I HAVEN'T ASKED YOU ABOUT?
SP: NO, SIR, I MEAN, PRETTY MUCH COVERED IT.

KG: UMKAY.
SP: I GUESS.

KG: IS EVERYTHING YOU TOLD ME THE TRUTH?
SP: YES, SIR, IT IS.

KG: I WANT YOU TO TAKE A LOOK AT THE TICKET THAT HAS YOUR NAME ON IT AND LOOK AT THE SIGNATURE WHERE IT SAYS DEFENDANT'S SIGNATURE. DO YOU RECOGNIZE THE SIGNATURE THERE?
SP: YES, SIR, I DO.

KG: AHM, WHOSE IS IT?
SP: IT'S MINE.

KG: AND THAT IS YOUR SIGNATURE?
SP: YES, SIR, IT IS.

KG: ALL RIGHT. THIS IS GONNA BE THE END OF THIS STATEMENT. TIME IS 4:09 P.M.